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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,714	02/18/2004	Sheng-Tsung Wang	MR957-1458	1722
4586	7590	08/18/2005		
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			EXAMINER LE, HUNG CHARLIE	
			ART UNIT	PAPER NUMBER
			3725	

DATE MAILED: 08/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/779,714	Applicant(s) WANG, SHENG-TSUNG	
	Examiner Hung C. Le	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 - 5 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### **Reasons For Allowance**

The following is an examiner's statement of reasons for allowance:

Prior art failed to disclose or imply:

"An improvement on a feeding mechanism of an automatic pipe bending machine, comprising  
a main part for securing a pipe thereto; the main part being  
displaceable along a plurality of guide rails secured on a main body of  
the bending machine;  
a first power source fitted to the main part;  
a transmission connected to the first power source such that a gear

thereof will rotate when the first power source operates;

a rack securely disposed on the main body of the bending machine;

the gear of the transmission being engaged with the rack such that the main part will be displaced along the guide rails when the first power source operates;

a second power source fitted to the main part; the second power source having a plurality of output rods;

a plurality of second parallel guide rails secured on the main body of the bending machine;

an auxiliary fixing member joined to the output rods of the second power source and displaceable along the second guide rails;

a locating rod secured on the machine main body; the locating rod having engaging teeth formed along two lateral sides thereof;

an engaging device fitted to the fixing member for releaseably engaging the toothed locating rod to fix the fixing member to the locating rod; the engaging device including:

(1) a pair of pushing bars pivoted to the fixing member at lower end portions; the lower end portions of the pushing bars having eccentric convexly curved portions facing each other;

(2) a third power source connected to upper end portions of the pushing bars for changing distance between the eccentric convexly curved portions of the pushing bars with; and

(3) a pair of engaging blocks movably arranged between the eccentric convexly curved portions of the pushing bars and on two sides of the toothed locating rod; the engaging blocks having engaging teeth facing the engaging teeth of the locating rod; the engaging blocks being capable of engaging the locating rod when the pushing bars are moved such that the convexly curved portions thereof press the engaging blocks against the locating rod; the engaging blocks being capable of disengaging the locating rod when the pushing bars are moved such that the convexly curved portions are away from the engaging blocks; thereby being capable of being displaced by means of the second power source in addition to the first power source when the engaging blocks engage the locating rod, and when the second power source operates”.

The closest piece of art (Yamada et al., US 6,820,450 B2) discloses:

“ The bending device comprises a hydraulic motor for moving a feeding table, and a hydraulic circuit including first and second switching valves which can be selectively switched between a speed control channel for supplying operating oil from a discharge-rate variable hydraulic pump to the hydraulic motor by way of a servo valve and a pressure control channel for supplying high pressure operating oil from the hydraulic pump to the hydraulic motor. When the feeding table

provided with a chuck mechanism gripping a longitudinal material is moved to a bending mechanism to bend the material, control of the speed and application of axial compressive force can be conducted by switching of the first and second switching valves". (See Figs. 1 – 6)

However, prior art of record fails to disclose the claimed subject matter as set forth above.

Therefore, The improvement on a feeding mechanism of an automatic pipe bending machine per claims 1 – 5 herein are being allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Ex parte Quayle**

This application is in condition for allowance except for the following formal matters:

- 1) On Page 1, Line 16: "Referring to Figs. 10 too 13, a conventional ..."  
Should be: "Referring to Figs. 10 to 13, a conventional ....".

2) On Page 8, Line 9: " locating rod 4 by the spring 35, as shown in Fig. 6...."

There is no element 35 as shown in Fig. 6.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung C. Le whose telephone number is 571-272-8757. The examiner can normally be reached on M-F: 08:00am - 05:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll  
-free).

HCL

08/11/05

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal stroke extending to the right.

DERRIS H. BANKS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700